

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SHERRI L. LOVE,

Case No. 2:20-cv-00525-JAD-EJY

Plaintiff,

v.

ORDER

MEDICAL UNIT E FMWCC, *et al.*,

Defendants.

On March 16, 2022 the Court ordered the Attorney General for the State of Nevada to file a notice with the Court advising whether he would accept service on behalf of four unserved defendants named in Plaintiff's Third Amended Complaint. ECF No. 87. The Attorney General's Office responded accepting service on behalf of Gabriella Najera and Malita Sastrillo, who are current employees of the Nevada Department of Corrections and not accepting service on behalf of Dr. Kabatay (believed to be Nurse Practitioner Dulce S. Kabatay) and Dr. Sanchez (believed to be Dr. Francisco M. Sanchez) who are former employees of the Nevada Department of Corrections ECF No. 96. The Attorney General's Office filed the last known addresses of Defendants Kabatay and Sanchez under seal. ECF No. 97.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall issue summonses for Defendants Dulce S. Kabatay and Francisco M. Sanchez. The Clerk of Court shall send the summonses to the U.S. Marshal with the addresses provided under seal for these two defendants (ECF No. 97).

IT IS FURTHER ORDERED that the Clerk of Court shall send **two** copies each of the following documents: Plaintiff's Third Amended Complaint (ECF No. 66), the Court's July 21, 2021 Screening Order (ECF No. 23), and this Order to the U.S. Marshal for service on Defendants Dulce S. Kabatay and Francisco M. Sanchez.

IT IS FURTHER ORDERED that the Clerk of Court shall send **two** copies of the USM-285 form to Plaintiff.

1 IT IS FURTHER ORDERED that Plaintiff shall have through and including **May 11, 2022** to
2 complete the USM-285 forms and return it to the U.S. Marshal at 333 Las Vegas Blvd., South, Suite
3 2058, Las Vegas, Nevada 89101. Because Plaintiff does not have access to the Defendants' last
4 known addresses, she does not have to fill out the address section of the USM-285 form. That section
5 will be completed by the U.S. Marshal. However, all other sections of the form shall be filled out to
6 the best of Plaintiff's ability.

7 IT IS FURTHER ORDERED that the U.S. Marshall shall attempt to effect service on
8 Defendants Dulce S. Kabatay and Francisco M. Sanchez within **fifteen (15) court days** of the date
9 he receives Plaintiff's USM-285 forms.

10 IT IS FURTHER ORDERED that Plaintiff shall have **twenty one (21) days** from the date the
11 U.S. Marshal returns to Plaintiff a copy of the USM-285 form showing whether service has been
12 accomplished to file a notice with the Court stating whether Defendants Dulce S. Kabatay and
13 Francisco M. Sanchez were served.

14 IT IS FURTHER ORDERED that if Plaintiff fails to comply with this Order, Plaintiff's claims
15 against Defendants Dulce S. Kabatay and Francisco M. Sanchez may be subject to dismissal for
16 failure to complete service of process pursuant to Fed. R. Civ. P. 4(m).

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18 Dated this 8th day of April, 2022.

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20 ELAYNA J. YOUCHAK
21 UNITED STATES MAGISTRATE JUDGE
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